

OFFICE OF INSPECTOR GENERAL

School District of Philadelphia

Investigative Report Synopsis

Introduction

The Office of Inspector General (OIG) for the School District of Philadelphia (District) investigated the misuse of a District vehicle by a District employee. The OIG investigation substantiated that the employee abused their assigned vehicle by using it for personal purposes and transporting a non-District employee in the vehicle. Furthermore, the employee provided false statements to the OIG during the course of the investigation.

OIG Investigation and Findings

The employee's use of their assigned District vehicle created an appearance of impropriety, which they failed to remedy when instructed by supervisors to do so.

GPS data revealed that during a 40-day period, an employee's assigned District vehicle traveled from Philadelphia to various casinos in Atlantic City, New Jersey, at least 18 times, where it remained overnight before returning to Philadelphia. According to the GPS, the same pattern occurred each time the vehicle arrived at the casinos. The vehicle drove to the casino valet parking area, remained for a short time, then traveled to a nearby lot designated for valet parking.

In addition to the 18 times that GPS tracking clearly showed the vehicle route to and from the casinos, the GPS system inexplicably cut out on multiple days and suddenly stopped tracking the vehicle. While it was unclear where the vehicle had been parked overnight, GPS records confirmed that the pinned start location of the vehicle was at the casino the next morning. The GPS failed to show the vehicle's exact route out of Philadelphia and did not begin tracking the vehicle again until it was back in the city. On one occasion, the GPS tracked the vehicle all day until approximately 8:23 p.m. as the vehicle approached the Walt Whitman Bridge to NJ - which was the same route the vehicle consistently took to travel to Atlantic City. Further, there is no GPS data recorded at all for 12 days during the same 40-day period.

OIG investigators conducted a visual surveillance of the employee and their assigned District vehicle, during which the employee drove the vehicle erratically at high rates of speed making frequent and sudden lane changes. The employee was observed driving to a free public parking lot in New Jersey where they met a person in another vehicle that fit the description of the employee's spouse. The employee drove away in the other vehicle, left the District vehicle behind unattended, and proceeded to drive to Atlantic City. According to GPS records, this trip to the parking lot in the District vehicle occurred nine times during a 10-day period.

REPORT FRAUD, WASTE, AND ABUSE

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The employee told OIG investigators that after selling their house, they used comped rooms at casino hotels in Atlantic City and Philadelphia as temporary living quarters. As for parking the vehicle in casino valet parking lots, despite satellite imagery indicating otherwise, the employee denied ever having the vehicle valet parked and explained that they parked the vehicle themselves in valet parking lots because it is too large to fit into the parking garage.

The employee acknowledged that driving the vehicle to Atlantic City might create a public misconception that they were “moonlighting” at the casinos. The investigation revealed that both the employee’s first and second level supervisors made repeated verbal attempts to get them to stop driving the District vehicle to the casinos. Eventually, the employee’s second level supervisor told them that they were no longer allowed to drive the vehicle out of Philadelphia and that they should update their address with the Office of Talent. Despite this, the supervisor noticed that the District vehicle was parked in NJ, and again warned the employee that they were not permitted to drive the vehicle out of the City. The employee then began parking the vehicle at a location in Delaware County, but the employee’s supervisor was not aware of the employee’s connection to that location. The supervisor stated they had not formally disciplined the employee, aside from telling them that they could not take the vehicle outside of the city and that next steps included revocation of driving privileges.

The OIG was able to confirm that the vehicle was parked most nights in Delaware County, and observed that the vehicle had not been moved in almost a week. The OIG discovered that the vehicle had been in an accident. Rather than taking the vehicle directly into the garage for repairs, the employee continued to drive the vehicle before leaving it at a relative’s house in Delaware County. Upon inspection of the vehicle, investigators observed damage to the rear bumper, as well as multiple five-gallon paint cans containing District order numbers. The supervisor confirmed to investigators that the employee did not use paint to perform their job functions, and there would be no reason for them to have any District purchased paint in their vehicle.

The employee violated the non-bus vehicle usage policies and procedures as well as the Employee Code of Ethics each time that they parked a fully-marked District vehicle at the casinos thus creating an “appearance of impropriety with regard to public perception concerning the misuse of District vehicles.” The general public may have reasonably assumed that a District employee was using District property to facilitate gambling, or perhaps to work a second job. Although the employee indicated that they sold their house and travel to the casinos was for lodging purposes, a search of property records indicated that the property has not been sold since 2007 nor did the employee appear to be the owner of the home.

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The employee used their assigned District vehicle for personal purposes and transported a non-District employee in the vehicle.

OIG investigators observed that the employee's assigned vehicle made several trips back and forth between a residence and a self storage facility in Delaware on a particular day. The employee admitted to investigators that they used the District vehicle to move personal belongings out of their previous house and put them in storage. This back-and-forth travel for non-District business had the District vehicle on the road for more than 10 hours.

The District vehicle was also observed making trips to another residence in Delaware County. The pattern of travel to this location showed the vehicle repeatedly driving to the residence early in the morning from the parking facility in NJ, stopping for a brief period of time, continuing to work at the District, and then returning to the residence in the afternoon. The vehicle remained at the residence in Delaware County for some time before returning to the parking facility in NJ. OIG investigators learned that the employee's relative lives at the residence in Delaware County and that person also works for the District. Trips to the relative's home took place on 12 different days in a two and a half month period, traveling there multiple times per day. The pattern of these trips was consistent with dropping someone off in the morning and returning in the afternoon to pick them up.

The employee's relative told investigators that the employee's spouse comes to the house two to three times per week to watch their children. The relative stated that the employee has dropped off their spouse at times, but they never personally saw the parent get in or out of the District vehicle. During the course of the investigation, OIG conducted a visual surveillance on the residence, and observed the employee transporting the same person believed to be their spouse from the residence in the District vehicle.

As is clearly outlined in both the Attachment to Policy 711 and the Code of Ethics, District property is to be used only for official District business. Using the District vehicle for the purpose of moving one's personal belongings out of one's house and into a storage facility does not qualify as official District business. Further, if the employee used the District vehicle for the sole purpose of visiting their relative in Delaware County, that alone would be an improper use of the vehicle and a clear violation of the policy. Moreover, investigators observed the employee using the District vehicle to pick up their spouse from the residence after the visit. Transporting non-District employees in District vehicles is not only expressly prohibited by the Attachment to Policy 711, but it exposes the District to significant liability should an accident or other incident occur with these individuals in the vehicle.

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The employee provided false statements to investigators regarding their misuse of the vehicle.

During an interview with the OIG, the employee told investigators that their relative lives at the residence in Delaware County, and that they go there a few times per week to visit their family. The employee denied ever having anyone else in the District vehicle, acknowledging that they knew it was not permitted. Despite being confronted with the observations made by investigators, the employee repeatedly denied ever transporting any non-District employees in the vehicle. In response, the employee stated, “that is not possible.”

Making false statements is prohibited by both the OIG’s Board Resolution¹ as well as the Code of Ethics. The Resolution states that employees “shall cooperate fully with representatives of the OIG by providing complete, truthful, and accurate information as well as the necessary assistance in matters being investigated.” The Code of Ethics outlines that employees must “[avoid] any form of fraud, falsification, misrepresentation, or deception in the statements [they] make and the records [they] keep while doing [their] jobs.”

Conclusions and Recommendations

In their attempt to conceal violations of the non-bus vehicle usage policy, the employee engaged in behavior that flouted the ethical standards the District has laid out for its employees, failed to take accountability for their actions, and demonstrated a disregard for the policies and procedures designed to ensure the integrity of the District.

The OIG recommended discipline consistent with Pennsylvania law and District policy for the employee’s misuse of the District vehicle. Additionally, the OIG recommended that the District seek reimbursement for the employee’s fuel consumption and/or mileage for trips that were not related to District business. The employee ultimately lost their take-home vehicle privileges.

The District must strengthen its controls to ensure compliance with the non-bus vehicle usage policies and procedures. The District is responsible for improving training for all employees regarding the vehicle policies and usage limitations, must vigorously enforce the policies, and must clearly define repercussions for policy violations. While employees must be held accountable for their own individual actions, it is imperative that management and direct supervisors ensure overall compliance with these policies and procedures, or the District will continue to expose itself to increased risks of liability.

¹ The OIG Board Resolution was in effect at the time of this investigation. Since the writing of this report, the Board has adopted Policy 1200, which also explicitly states that employees must cooperate fully with the OIG by providing complete, truthful, and accurate information.

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Additional requirements must be implemented in order to hold authorized drivers accountable for their vehicle usage. The current disciplinary provisions outlined in Policy 711 state that “[e]mployees who are found to have violated the policies set forth in this Directive may be subject to disciplinary action up to and including termination.” (Emphasis added). Leaving such discretionary decisions up to department supervisors is problematic because it continues to allow for subjective and selective disciplinary action, not only across the District, but within individual departments.

The OIG also made the following recommendations:

- Language should be updated and replaced with clear language that an employee who violates the District’s vehicle policy “shall be subject” to disciplinary action and describe the nature of that action, i.e. progressive, mandatory, number of days suspension, or termination. In addition to disciplinary action up to and including termination, reimbursement for mileage or fuel consumption should also be compulsory.
- The Office of Transportation should require mandatory periodic submissions of standardized vehicle logs, which will require drivers to contemporaneously document where and when the vehicle was driven, and for what purpose.

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